

STATE OF TEXAS §
COUNTIES OF ARANSAS §
SAN PATRICIO AND NUECES §
CITY OF ARANSAS PASS §

On this the 19th day of December, 2011 the City Council of the City of Aransas Pass convened in a Regular Meeting being open to the Public at the regular meeting place thereof in the City Hall and notice of said meeting giving the time, place, date and subject hereof having been posted and prescribed by Chapter 551 of the Texas Government Code with the following attendance to wit constituting a quorum.

PRESENT: Tommy Knight Mayor
Phillip Hyatt Mayor Pro Tempore
James A. Mills Council Member
Ross McElwee Council Member
Vickie Abrego Council Member

ABSENT:

ADMINISTRATIVE
PERSONNEL PRESENT: Allen Lawrence City Attorney
Reggie Winters City Manager
Yvonne Stonebraker City Secretary

ADMINISTRATIVE
PERSONNEL ABSENT:

STAFF PRESENT: Paul Alvarado Public Works Director
Frank Truitt City Inspector
Jeff Martin I.T. Manager

OTHERS PRESENT: Phil & Nell Reynolds, Donald & Jeanie Brummett, Karen Gayle, David Underbrink, Dave Sullivan and Thomas Tiffen/Naismith Engineering, Ernie & Olivia Torres, Hope Comingore, Katie Roberts-Verhelst, Mike & Jan Moore, Bob Steadman, Andrew Gibbs, Crystal Gomez, Randy & Jeanne Hunter, Rosemary Vega, Patsy Lawrence, Morgan Hill and Annette Schonhoeft.

There may have been others present who did not sign in.

- 1. CALL MEETING TO ORDER.**
Mayor Knight called the meeting to order at 7:00 P.M. on December 19, 2011.
- 2. INVOCATION AND PLEDGE OF ALLEGIANCE TO THE UNITED STATES FLAG.**
Council member Abrego gave the invocation. Mayor Knight led the Pledge of Allegiance to the United States Flag.
- 3. CONSIDER AND ACT ON MINUTES OF NOVEMBER 21, NOVEMBER 28, DECEMBER 5 AND DECEMBER 12, 2011.**
Mayor Pro Tem Hyatt made a motion to approve minutes of November 21, November 28, December 5 and December 12, 2011. Council Member Abrego seconded the motion and the motion carried unanimously.
- 4. PUBLIC HEARING ON REQUEST OF SHARON MARCUS TO REZONE FOR AN R.V. PARK. THE PROPERTY IS DESCRIBED AS LOT 26, BLOCK 213, WEST GILE STREET, ARANSAS PASS, TEXAS, ARANSAS COUNTY. THE PROPERTY IS ZONED (R7-B) RESIDENTIAL DISTRICT.**
Attorney Allen Lawrence opened the Public Hearing at 7:03 P.M. He asked if there was anyone present to speak in favor of Ms. Sharon Marcus' request.

City Inspector Frank Truitt stated at the December 12, 2011 Planning and Zoning meeting, Ms. Marcus had a representative speak for her on this request due to Ms. Marcus having surgery.

He stated the Planning and Zoning had approved Ms. Marcus' request to rezone Lot 26, Block 213, West Gile Street from (R7-B) Residential to (RV) Recreational Vehicle.

Attorney Lawrence asked if there was anyone present to speak against this request.

There were none.

Attorney Lawrence closed the public hearing at 7:05 P.M.

5. **CONSIDER AND ACT ON REQUEST OF SHARON MARCUS TO REZONE FOR AN R.V. PARK. THE PROPERTY IS DESCRIBED AS LOT 26, BLOCK 213, WEST GILE STREET, ARANSAS PASS, TEXAS, ARANSAS COUNTY. THE PROPERTY IS ZONED (R7-B) RESIDENTIAL DISTRICT.**

Council Member Mills made a motion to approve the request of Ms. Sharon Marcus to re-zone for an R.V. Park. The property is described as Lot 26 Block 213, West Gile Street, Aransas Pass, Texas, Aransas County. The property is zoned (R7-B) Residential District. Mayor Pro Tem Hyatt seconded the motion and the motion carried unanimously.

6. **CONSIDER AND ACT ON RESOLUTION NO. 2011-667 – APPROVING A SEAMAN'S MEMORIAL TOWER MAINTENANCE AGREEMENT BETWEEN THE CITY OF ARANSAS PASS AND KEEP ARANSAS PASS BEAUTIFUL AND ACCEPTING CERTAIN TERMS AND CONDITIONS.**

Council member McElwee made a motion to approve Resolution No. 2011-667 – Approving a Seaman's Memorial Tower Maintenance Agreement between the City of Aransas Pass and Keep Aransas Pass Beautiful and accepting certain terms and conditions. Mayor Pro Tem Hyatt seconded the motion and the motion carried unanimously.

7. **CONSIDER AND ACT ON CONTRACTING WITH MICHAEL ARNOLD, CPA/PLLC FOR AUDITING SERVICES FOR THE CITY OF ARANSAS PASS' 2010-2011 FISCAL YEAR AUDIT.**

Council Member McElwee made a motion to approve contracting with Michael Arnold, CPA/PLLC for auditing services for the City of Aransas Pass' 2010-2011 fiscal year audit. Council Member Mills seconded the motion and the motion carried unanimously.

8. **PRESENTATION BY NAISMITH ENGINEERING ON THE RE-NEGOTIATIONS OF BOATING INFRASTRUCTURE GRANT (B.I.G.) LOW BIDDER BELLINGHAM MARINE.**

Dave Underbrink with Naismith Engineering stated on December 5, 2011 the City Council authorized Naismith Engineering to re-negotiate with Bellingham Marine to bring the cost of the overall project within the budget amount of \$811,000.00. He stated Bellingham Marine's original bid was \$890,075.00 which included the Base Bid of \$67,455.00 and Additive Bid C of \$822,620.00. He stated Bellingham Marine had submitted Change Order Number 1 which reduces the contract by \$79,075.00 making the contract bid \$811,000.00.

Dave Underbrink and the City Council had a brief discussion on the difference between stainless steel electrical pedestals and fiberglass housings.

9. **CONSIDER AND ACT ON AWARDING CONTRACT FOR THE BOATING INFRASTRUCTURE GRANT.**

Council Member Abrego made a motion to award contract to Bellingham Marine for the Boating Infrastructure Grant. Council Member McElwee seconded the motion and the motion carried unanimously.

10. **CONSIDER AND ACT ON RECYCLING/DISPOSING OF THE CITY'S USED COMPUTER EQUIPMENT.**

Council Member McElwee made a motion to approve the recycling/disposing of the City's used computer equipment. Council Member Abrego seconded the motion and the motion carried unanimously.

11. **CONSIDER AND ACT ON RE-SCHEDULING THE MONDAY, JANUARY 2, 2012 CITY COUNCIL MEETING TO TUESDAY, JANUARY 3, 2012 DUE TO A CITY HOLIDAY.**

Mayor Pro Tem Hyatt made a motion to re-schedule the Monday, January 2, 2012 City Council meeting to Tuesday, January 3, 2012 due to a city holiday. Council Member McElwee seconded the motion and the motion carried unanimously.

12. **CONSIDER AND ACT ON ALLOWING THE CITY OF INGLESIDE TO SUPPLY WATER TO MS. JOAN DOUGLAS LOCATED ON MOONEY LANE IN THE CITY OF ARANSAS PASS' EXTRA TERRITORIAL JURISDICTION (E.T.J.)**

City Manager Winters stated it would cost Ms. Douglas ten thousand (\$10,000) dollars for the City of Aransas Pass to supply her water. He stated he would recommend letting Ingleside supply her water.

Mayor Pro Tem Hyatt made a motion on allowing the City of Ingleside to supply water to Ms. Joan Douglas located on Mooney Lane in the City of Aransas Pass' Extra Territorial Jurisdiction (E.T.J.). Council Member McElwee seconded the motion and the motion carried unanimously.

13. **CITIZENS COMMENTS.**

Council Member Mills spoke on the passing of Mr. Carsten Meyer.

14. **RECESS REGULAR MEETING AND RETIRE TO EXECUTIVE SESSION PURSUANT TO CHAPTER 551 OF TEXAS GOVERNMENT CODE.**

Mayor night recessed the Regular Meeting at 7:24 P.M.

A. **SECTION 551.071 – CONSULTATION WITH CITY ATTORNEY – LEGAL MATTERS.**

15. **RECONVENE IN REGULAR MEETING AND CONSIDER AND ACT ON FINDINGS OF EXECUTIVE SESSION.**

Mayor Knight reconvened the Regular Meeting at 7:48 P.M.

A. **SECTION 551.071 – CONSULTATION WITH CITY ATTORNEY – LEGAL MATTERS.**

- 1) Council Member Mills made a motion to authorize City Attorney Lawrence to appoint a co-council for the City of Ingleside's lawsuit against the City of Aransas Pass. Council Member Abrego seconded the motion and the motion carried unanimously.
- 2) Mayor Pro Tem Hyatt made a motion to terminate VenuWorks Management Agreement between the City of Aransas Pass and VenuWorks for the Aransas Pass Civic Center. Council Member Mills seconded the motion and the motion carried with Mayor Knight and Council Member Abrego voting no.

16. **ADJOURNMENT OF MEETING.**

Council Member Mills made a motion to adjourn the meeting. Mayor Pro Tem Hyatt seconded the motion and the motion carried unanimously.

Mayor Knight adjourned the meeting at 8:00 P.M.

Tommy Knight, Mayor

ATTEST:

Yvonne Stonebraker, City Secretary